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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,945	01/29/2002	Shinya Taniguchi	111828	3595

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EXAMINER
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MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/057,945

Applicant(s)

TANIGUCHI ET AL.

Examiner

Naghmeh Mehrpour

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/02, 9/04, 5/04</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### **Priority**

1. Receipt is acknowledged of papers submitted under 35 U.S. C. 119(a)-(d), which papers have been placed of record in the file.

### **Information Disclosure Statement**

2. The information disclosure statement filed reference listed in the information Disclosure submitted on 05/09/02, 09/04/03 ,05/24/04, have been considered by the examiner (see attached PTO-1449).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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4. **Claims 1-9, 11-20**, are rejected under 35 U.S.C. 102(e) as being anticipated by Taniguchi (US Publication 2001/0046067 A1).

Regarding **claims 1, 13**, Taniguchi teaches a data output system/method for establishing a connection between an output terminal 3 for outputting data and a position management terminal 4 for generating mobile terminal 2 position information for specifying the position of a mobile terminal 2 on the basis of a communication state between the mobile terminal and a base station so that the data output system can communicate with the output terminal 3 and the position management terminal 4, and for outputting data requested, by a user of the mobile terminal 2, to be output using the output terminal 3 (see figure 1, page 3 section 39),

wherein the mobile terminal 2 position information is obtained from the position management terminal 4 (page 3 section 0039), and

data output control (server 1) of the output terminal 3 is performed on the basis of the positional relationship between the mobile terminal 2 position specified by the obtained mobile terminal 2 position information and the output terminal 3 (3a, 3b, 3c) position specified by output terminal (apparatus 3a, 3b, 3c) position information for specifying the position of the output terminal (see figure 1, page 3 section 0047).

Regarding **claims 2, 14**, Taniguchi teaches a data output system/method (see figure 1) for establishing a connection between an output terminal (3a, 3b, 3c) for outputting data and an

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output control terminal (server 1) for performing data output control of the output terminal (3a, 3b, 3c) so that they can communicate with each other (page 3 section 0040), for establishing a connection between the output control terminal 1 and a position management terminal 4 for generating mobile terminal 2 position information for specifying the position of a mobile terminal 2 on the basis of a communication state between the mobile terminal 2 and a base station so that they can communicate with each other (page 3 section 0043), and for outputting data requested, by a user of the mobile terminal, to be output using the output terminal (apparatus 3 located in the shops) (page 3 sections 0044, 0045), wherein the output control terminal (server 1) includes:

storage (shop list table) means for storing output terminal position information for specifying the position of the output terminal (page 3 sections 0041); and

position information obtaining means for obtaining the mobile terminal 2 position information from the position management terminal 4 (see figure 1, page 3 section 0033);

the data output control of the output terminal (3a, 3b, 3c) being performed on the basis of the positional relationship between the mobile terminal 2 position specified by the mobile terminal 2 position information obtained by the position information obtaining means 4 and the output terminal (3a, 3b, 3c) position specified by the output terminal (3a, 3b, 3c) position information in the storage means (shop list table) (page 3 section 0044).

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Regarding **claims 3, 15**, Taniguchi teaches a data output system/method wherein the output control terminal transmits a data output request to the output terminal when the mobile terminal 2 position is within a predetermined range on the basis of the output terminal 3 position (page 3 sections 0049-0050).

Regarding **claims 4, 16**, Taniguchi teaches a data output system/method wherein the output control terminal/user transmits a data output request to the output terminal 3 (page 3 section 0053, page 5 section 0091) when the mobile terminal 2 position is within a predetermined range on the basis of the output terminal position (page 3 section 0050), and when a mobile a predetermined period of time has passed since the mobile terminal position became within the predetermined range (page 3 sections 0049-0050, page 4 section 005). When output control transmits a data output request to the output terminal, mobile is within predetermined range, it also reads on in a predetermined time as well.

Regarding **claims 5, 17**, Taniguchi teaches a data output system/method wherein the data output system establishes a connection between the output control terminal and the mobile terminal 2 so that they can communicate with each other (page 3 section 0053),

the output control terminal includes control command storage means for storing a specific control command for controlling a specific function of the output terminal (3a, 3b, 3c) (page 3 sections 0040-0041),

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when the mobile terminal 2 position is within a predetermined range on the basis of the output terminal position, the output control terminal 1 transmits a list from which the specific control command is selectable to the mobile terminal 2 (page 3 sections 0049, 0050), and

when the output control terminal receives the selection of the specific control command (page 3 sections 0053, 0057), the output control terminal transmits the specific control command in the control command storage means to the output terminal (page 4 sections 0054, 0055).

Regarding **claims 6, 18**, Taniguchi teaches a data output system/method wherein the output control terminal transmits the list from which the specific control command is selectable to the mobile terminal 2 (page 4 section 0057) when the distance between the output terminal (3a, 3b, 3c) position and the mobile terminal 2 position is less than or equal to a predetermined value (page 3 sections 0049-0050).

Regarding **claims 7, 19**, Taniguchi teaches a data output system/method wherein, when the output control terminal receives a registration request for registering the output terminal 3 from the mobile terminal 2 (page 3 sections 0053), the output control terminal transmits a transmission request for transmitting the control command list to the output terminal corresponding to the registration request (page 4 section 0053),

when the output control terminal receives the control command list in response to the transmission of the transmission request (page 4 section 0054), the output control terminal

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registers the mobile terminal position information obtained by the position information obtaining means as the output terminal 3 position information in the storage means (table list), and registers the received control command list in the control command storage means so that the control command list corresponds to the output terminal position information (page 4 section 0055), and

when the output terminal 3 receives the transmission request for transmitting the control command list (page 3 section 0053), the output terminal 3 transmits the control command list including the specific control command to the output control terminal 2 (page 4 section 0056, section 0069).

Regarding **claims 8, 20**, Taniguchi inherently teaches a data output system/method wherein the output control 1 terminal transmits a response request to the output terminal (page 3 sections 0048, 0049, 0050),

when the output control terminal receives no response in response to the output request (when the mobile does not registered with the base station), the output control terminal reads from the storage means the output terminal position information for the output terminal which gives no response (page 3 section 0049), print service server 1 has a distance table indicating the distance from each area to pre-register shops equipped with output apparatuses 3. If the current position of user is in an area between the shops (output apparatus 3), the server 1 receives no response,



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then the server 1 (controller) based on distance table searches in the shop list for nearby shop equipped with a necessary output apparatus 3 (see figure 1, page 3 section 0049), and

on the basis of the mobile terminal position information obtained by the position information obtaining means, the output control terminal searches for the mobile terminal which is within a predetermined range on the basis of the output terminal position specified by the read output terminal position information (page 3 section 0050),

the output control server terminals (central sever operator) transmits to the detected mobile terminal a presence confirmation request for confirming the presence of the output terminal which gives no response (see figure 5, page 4 section 0056), if there is no desirable shop next to the mobile, the mobile terminal/user does not transmits the confirmation, however, transmits the cancellation of the print command and transmitted to the output controller (server 1) (page 4 section 0056), and

when the output control terminal 1 receives no presence confirmation in response to the presence confirmation request, the output control terminal clears the registration of the output terminal which gives no response (page see figure 6, page 4 section 0056), when the server (output controller) 1 receiving the cancellation of the print command, print server 1 deletes the received printing data (see figure 1, page 4 section 0056).

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Regarding **claim 9**, Taniguchi teaches a data output system wherein the output terminal is a printer (page 4 section 0062).

Regarding **claim 11**, Taniguchi teaches an output control terminal for establishing a connection between a position management terminal 4 and an output terminal in a data output system so as to communicate with the position management terminal 4 and the output terminal 3 (see figure ) comprising:

storage means for storing output terminal position information for specifying the position of the output terminal (page 3 section 0041); and

position information obtaining means for obtaining mobile terminal 2 position information from the position management terminal (see figure 1, page 3 section 0033);

wherein data output control of the output terminal (3a, 3b, 3c) is performed on the basis of the positional relationship between the mobile terminal position specified by the mobile terminal position information obtained by the position information obtaining means and the output terminal position specified by the output terminal (3a, 3b, 3c) position information in the storage means (page 3 section 0044).

Regarding **claim 12**, Taniguchi teaches a program to be applied to output control terminal, which is made up of the computer (page 4 section 0059),

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the program making a computer execute processing in which data output control performed on the basis of the positional relationship between the mobile terminal 2 position specified by the mobile terminal 2 position information obtained by the position information obtaining means and the output terminal position specified by the output terminal position information in the storage means (page 3 sections 0039, 0042, 0044, 0059).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 10**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Taniguchi (US Publication 2001/0046067 A1) in view of Asthana et al. ( US Publication 2004/0185877 A1).

Regarding claim 10, Taniguchi fails to teach a data output system wherein the output terminal is a projector. However Asthana teaches a data output system wherein the output terminal is a projector (page 12 section 0109). Therefore, it would have been obvious to ordinary skill in the art at the time the invention is made to combine the above teaching of Asthana with Taniguchi, in order provide flexibility in the types and quantities of user data items that are pushed from the host system to the mobile communication.

### **Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Shiohara** (US Patent 6,804, 019 B2) disclose print data generation system and corresponding method for use with a printing system

**Schlonski et al.** (International Publication 20020196451 A1) disclose system for replicating desired configurations for printers in a network

**Walker** (US Patent Number 5,828,855) disclose socket simulation protocol for network printing system

**Tendler** (US Patent Number 6,516,198 B1) disclose system for location reporting

8. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 703-308-7159.

The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (703) 305-4379.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

November 4, 2004

  
MELODY MEHPOUR  
PATENT EXAMINER